

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



ALL-COUNTY LETTER NO. 86 55

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: FOOD STAMP WORK REGISTRATION/JOB SEARCH PROGRAM

REFERENCE:

On January 16, 1981 the United States Department of Agriculture (USDA), in conjunction with the United States Department of Labor (DOL) issued final federal regulations establishing new Work Registration (WR) and Job Search (JS) requirements for food stamp recipients. The federal regulations require that the state Departments of Social Services (DSS) and Employment Development (EDD) cooperate in implementing the WR/JS provisions. State implementation of these provisions has been delayed pending development of a program to accommodate a reduction in funding from USDA to DOL. This program has now been developed and is being prepared for implementation. Implementation will occur in two phases. First, EDD began to implement their portion of the program on March 1, 1982; second, DSS and the counties will implement in the spring of 1982 after the new state regulations are filed and become effective.

The purpose of this letter is to inform you of the new WR/JS requirements, the procedures which EDD implemented on March 1, 1982, and steps the counties should take to assist EDD.

The following are major Food Stamp Program changes mandated by the new WR/JS regulations:

1. A person registered for work under a General Assistance, non-WIN Public Assistance or Refugee Resettlement Program shall be considered as registered for work under the Food Stamp Program. Such persons shall be subject to disqualification from the Food Stamp Program for failure to comply with the WR requirements of any of these programs.
2. The county shall not forward food stamp work registration forms (DE 8435 FS) to EDD until after the household has been certified.
3. EDD will call food stamp registrants into the local EDD office for an assessment interview at which time the registrant will be assigned to a job search category. Those registrants classified as job ready will be given an individualized Job Search Work Plan.

4. If EDD (not the county) determines that the work registrant has failed without good cause to comply with any of the WR/JS requirements, EDD will notify the county and the registrant of the noncompliance determination. The county will then notify the household of their proposed two-month disqualification period based upon the EDD determination.
5. Under the new WR/JS regulations, households disqualified for noncompliance with the interview or job search requirements can reestablish eligibility prior to the end of the disqualification period only if the noncomplying member becomes exempt or leaves the household.

Counties will be provided more detailed information regarding the new regulatory requirements once the state regulations are finalized.

#### EDD Implementation

On March 1, 1982, EDD began implementing the WR/JS procedures as follows:

1. Scheduling all food stamp work registrants (who do not appear to be exempt from job search) for an assessment interview. Registrants of approved substitute work registration programs shall be exempt from food stamp job search requirements. The interview will be scheduled within two weeks of EDD's receipt of the food stamp WR form (DE 8435 FS) from the county. Form DE 8860 FS (copy attached) will be used to schedule the interviews.
2. If the county has work registered an individual whom EDD believes should be exempt from work registration, EDD will send Form DE 8863 FS (copy attached) to the county, requesting the county to reconsider its determination. If the county reverses its determination or does not respond within 30 days (see Interim County Procedures, #2 below), EDD will de-register the individual.
3. As a result of the interview, EDD will place each work registrant in Category I - Job Ready, Category II - Non-job Ready or Category III - Exempt. Those registrants in Category I will be assigned job search activities. It should be noted however, that counties will not be able to take action against a registrant who fails to comply with the job search activities until after DSS's revised regulations have been filed and are effective.
4. Registrants who fail to report for their initial or follow-up interviews will be rescheduled by EDD for another interview within two weeks. Failure to appear for the rescheduled interview will be considered failure to comply with existing Manual Section 63-407.31.
5. If EDD determines that a registrant has failed without good cause to comply with the WR/JS requirements, EDD will notify the county within five days (via Form DE 8863 FS).

6. If a food stamp registrant's household has been disqualified due to the registrant's failure to appear for a rescheduled EDD interview, the registrant may request and receive an EDD interview in order to end the disqualification period. After the revised food stamp regulations are filed, a household will be able to end such a disqualification only if the registrant becomes exempt from work registration or moves out of the household.

#### Interim County Procedures

Implementation of changes to county WR procedures will not be required until after the state regulations have been filed. However, there are several procedural changes which counties could implement immediately in order to assist EDD in implementing their new WR/JS procedures. These procedural changes are indicated below:

1. FNS has approved the state's request to substitute the work registration requirements under GA, non-WIN PA and Refugee Resettlement Programs for the Food Stamp Program's WR/JS requirement. Therefore, as a result of FNS approval, and provisions contained in current Food Stamp Manual Section 63-407.10, counties should consider individuals work registered under one of these programs as exempt from food stamp work registration. Individuals so registered will be subject to appropriate food stamp sanctions for failure to comply with the work registration provisions of the program under which they are registered.
2. EDD will send Form DE 8863 FS to the county to request county reevaluation of food stamp work registrants whom EDD feels should be exempt from work registration. When the state regulation changes become effective, counties will be required to respond to such requests (using Form CA 331/333) within 30 days. Until such time counties are encouraged to respond to requests received from EDD regarding a food stamp recipient's WR status. Failure to do so will result in the recipient's automatic de-registration by EDD.
3. The new state regulations, when they become effective, will require the county to notify EDD (via Form CA 331/333) within 30 days of county knowledge of the following registrant changes:
  - o Change of address;
  - o Registrant becomes exempt from work registration;
  - o Registrant is no longer certified for food stamps.

In order to facilitate EDD's process, counties are urged to begin immediately notifying EDD of the above changes, particularly address changes. Failure to make EDD aware of address changes may result in registrants failing to appear for interviews due to nonreceipt of the EDD notice. This in turn may increase the volume of EDD noncompliance notices which the county will be required to act upon (Manual Section 63-407.5).

4. The new state regulations will require that when the county knows that a registrant is a migrant or seasonal farm worker that the work registration form be so annotated. Because such individuals are in Category III and

need not be called into the EDD office, the counties are urged to begin annotating the work registration form and thus enable EDD to quickly reduce the number of registrants called into the EDD office.

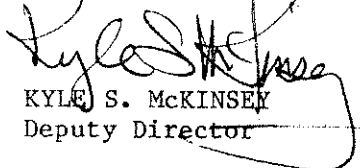
5. While current regulations impose no time frames on forwarding the WR form to EDD, the new regulations will require counties to hold the form until the household is certified and then forward the form to EDD within five days. Pending implementation of these regulatory requirements, counties are requested to assist EDD by not forwarding work registration forms until the registrant's household has been certified. This will enable EDD to avoid the unnecessary expenditure of resources on food stamp WR procedures for individuals subsequently denied food stamps.
6. As discussed above, until the revised state regulation changes become effective, current Manual Section 63-407.8 states that individuals whose households are disqualified due to their failure to appear for an EDD interview, may end the disqualification by requesting and receiving an interview. It is anticipated that most recipients in this situation will contact the county regarding how they can end the disqualification period. When this occurs, it is recommended that the county alert EDD to this via Form CA 331/333, as well as instructing the individual to contact EDD directly. EDD will schedule these interviews on an exception basis as their new procedures, as well as the proposed regulations, do not provide for a "cure" for ending a disqualification based upon failure to appear for an interview. (This procedure will not be applicable once the state regulation changes become effective.)

With the exception of the suggested procedures indicated above, counties should follow the work registration processes currently required by Manual Section 63-407 until the regulatory changes to that section are implemented.

It is particularly important to note that even though EDD will be making a "good cause" determination prior to notifying the county of a recipient's failure-to-comply with the requirements of Manual Section 63-407.3, current regulations (63-407.5) require the county to make its own "good cause" determination prior to taking a disqualification action.

Counties should make sure that only those food stamp applicants required to register for work complete the DE 8435 FS. If any exempt household member inadvertently completes the form, the form shall not be forwarded to the EDD office.

If you have any questions regarding the work registration/job search regulations or the interim implementation procedures discussed in this memo, please contact your Food Stamp Program Consultant at (916) 322-5475.

  
KYLE S. MCKINSEY  
Deputy Director

Attachments

cc: CWDA

**NOTICE TO FOOD STAMP RECIPIENT:**

TO:

All persons receiving Food Stamps who are not exempt must register for work with the State Employment Service as a condition of eligibility. You must also report to the Employment Office whenever asked to do so.

To avoid losing your Food Stamp Benefits you must report to:

FOOD STAMP FIELD OFFICE ADDRESS:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Telephone: \_\_\_\_\_

***If you have found a job, complete the information on the reverse side of this form, return it by mail, and you will not be required to report for the interview.***

**REASON FOR APPOINTMENT**

☐ INITIAL INTERVIEW

☐ RESCHEDULED INTERVIEW

☐ OTHER (explain below)

***Note: Failure to respond to this notice may result in discontinuance of your Food Stamps. To protect your benefit rights, you must contact the Employment Service at the address or telephone number indicated above if you are unable to report in person.***

NAME AND ADDRESS OF EMPLOYER	STARTING DATE OF EMPLOYMENT	KIND OF WORK	DAYS/HOURS OF EMPLOYMENT	SALARY

Is this expected to be a permanent job? ☐ Yes ☐ No

If not, how long is this job expected to last? \_\_\_\_\_

Signature of Recipient: \_\_\_\_\_

Date: \_\_\_\_\_

TO: CWD ADDRESS

APPLICANT'S NAME
FOOD STAMP CASE NAME
FOOD STAMP CASE NO.
SSA NO.

☐ Other

COMMENTS:

ES Local Office No. \_\_\_\_\_